

1 BRIAN J. STRETCH (CABN 163973)  
United States Attorney

2 BARBARA J. VALLIERE (DCBN 439353)  
3 Chief, Criminal Division

4 WILLIAM J. GULLOTTA (CTBN 423420)  
Assistant United States Attorney

5 1301 Clay Street, Suite 340S  
6 Oakland, California 94612  
7 Telephone: (510) 637-3680  
8 FAX: (510) 637-3724  
William.Gullotta@usdoj.gov

Attorneys for United States of America

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

12 UNITED STATES OF AMERICA,	)	
13 Plaintiff,	)	Case No. CR 17-00164 JST
14 v.	)	STIPULATION AND <del>PROPOSED</del> ORDER
15 MARCUS L. JONES,	)	EXCLUDING TIME FROM JUNE 23, 2017
16 Defendant.	)	THROUGH JULY 14, 2017
17	)	
18	)	

19 Plaintiff United States of America and defendant Marcus L. Jones, by and through their  
20 respective counsel of record, hereby stipulate as follows:

21 1. On June 23, 2017, the parties appeared before the Court for the second District Court  
22 appearance in this case. The parties reported to the Court that they have made considerable progress  
23 towards a resolution of the case, but needed additional time to finalize some of the details. The defense  
24 also recently requested additional discovery, which the government will produce shortly. Pursuant to  
25 the parties' request, the Court set the matter for a change of plea or motions/trial setting hearing on July  
26 14, 2017.

27 2. The parties jointly stipulated to exclude the time from June 23, 2017, through July 14,  
28

2017, from the time in which the defendant must be brought to trial pursuant to the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.* The government produced discovery in this case on May 5, 2017, and the defense recently requested additional discovery regarding one of the firearms seized in this case. The government requires time investigate whether such discovery exists and, if it does exist and is discoverable, the defense will need time to review the discovery and discuss the case with Mr. Jones. The parties also continue to finalize plea negotiations. Therefore, the parties agree that the time period from June 23, 2017, through July 14, 2017, inclusive, should be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv) on the basis that the ends of justice served by the continuance outweigh the best interests of the public and defendant in a speedy trial, and failing to exclude this time would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

IT IS SO STIPULATED.

Dated: June 23, 2017

BRIAN J. STRETCH  
United States Attorney

/s/ William J. Gullotta  
WILLIAM J. GULLOTTA  
Assistant United States Attorney


Dated: June 23, 2017

/s/ William A. Welch  
WILLIAM A. WELCH  
Attorney for Defendant Adam Abrams

**ORDER**

Based upon the representations of counsel and for good cause shown, the Court finds that failing to exclude the time from June 23, 2017, through July 14, 2017, would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from June 23, 2017, through July 14, 2017, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, **IT IS HEREBY ORDERED** that the matter is set before this Court on June 23, 2017 at 9:30 a.m. for a change of plea hearing, and that the time from June 23, 2017, through July 14, 2017, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

DATED: June 26, 2017\_

  
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THE HONORABLE JON S. TIGAR  
United States District Judge